

UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tim Kirk et al.
Filing Date: Herewith
Title: EXERCISE DEVICE
Docket No: 21315/301

Commissioner of Patents and Trademarks
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Please enter the following amendments and remarks prior to examination of the subject application. The marked changes are shown on Appendix A attached hereto.

IN THE SPECIFICATION

Please incorporate the following headings in the subject application specification.

Page 1, line 3

BACKGROUND OF THE INVENTION

Page 3, after line 8

SUMMARY OF THE INVENTION

Page 5, after line 14

BRIEF DESCRIPTION OF THE DRAWINGS

Page 6, after line 2

DESCRIPTION OF THE PREFERRED EMBODIMENTS

IN THE CLAIMS

Please replace claims 3 and 6-9 as amended herewith.

3. An exercise device as claimed in claim 1 wherein the two chambers are formed from a single chamber substantially divided in two by the provision of two or more dividers between the two chambers, a gap being provided in each divider for the passage of fluid therethrough.

6. An exercise device as claimed in claim 3 wherein three dividers are provided between the two chambers, the central divider having a gap for the passage of fluid at the opposite end to the dividers either side thereof.

7. An exercise device as claimed in claim 1 wherein the variable resistance means is a variable resistance valve which is provided between the two chambers.

8. An exercise device as claimed in claim 1 wherein the device is formed from a 200 micron laminate PVC.

9. An exercise device as claimed in claim 8 wherein the material of the device is such that advertising material can be printed thereon or affixed thereto.

Please cancel claim 10.

Please add the following new claims:

11. An exercise device as claimed in claim 2 wherein the two chambers are formed from a single chamber substantially divided in two by the provision of two or more dividers between the two chambers, a gap being provided in each divider for the passage of fluid therethrough.

12. An exercise device as claimed in claim 11 wherein the dividers are provided with gaps at

different points along their lengths.

13. An exercise device as claimed in claim 12 wherein the gaps are provided at opposing ends of the dividers.

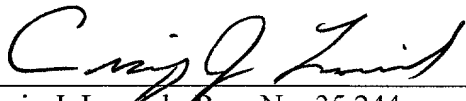
14. An exercise device as claimed in claim 11 wherein the device is formed from a 200 micron laminate PVC.

REMARKS

Claims 3 and 6-9 have been amended to comply with U.S. practice. Similarly, claims 11-14 have been added to more fully claim the invention and to comply with U.S. practice.

No additional fees are believed to be due at this time. However, if we have miscalculated the Commissioner is authorized to charge our deposit account number 50-1901 for any fees that may be due.

Respectfully submitted,

By 
Craig J. Lerrick, Reg. No. 35,244

Attorney for Applicant

Oppenheimer Wolff & Donnelly LLP

45 South Seventh Street, Suite 3300

Minneapolis, MN 55402-1609

Telephone: (612) 607-7387

Appendix A – Version with markings to show changes made

Applicant: Tim Kirk et al.

IN THE SPECIFICATION

Page 1, line 3, insert --BACKGROUND OF THE INVENTION--.

Page 3, after line 8, insert --SUMMARY OF THE INVENTION--.

Page 5, after line 14, insert --BRIEF DESCRIPTION OF THE DRAWINGS--.

Page 6, after line 2, insert --DESCRIPTION OF THE PREFERRED EMBODIMENTS--.

IN THE CLAIMS

Please amend claims 3 and 6-9 as follows:

3. (Amended) An exercise device as claimed in claim 1 **[or claim 2]** wherein the two chambers are formed from a single chamber substantially divided in two by the provision of two or more dividers between the two chambers, a gap being provided in each divider for the passage of fluid therethrough.
6. (Amended) An exercise device as claimed in claim 3 **[, 4, or 5]** wherein three dividers are provided between the two chambers, the central divider having a gap for the passage of fluid at the opposite end to the dividers either side thereof
7. (Amended) An exercise device as claimed in claim 1 **[any one of the preceding claims]** wherein the variable resistance means is a variable resistance valve which is provided between the two chambers.
8. (Amended) An exercise device as claimed in claim 1 **[any one of the preceding claims]** wherein the device is formed from a 200 micron laminate PVC.
9. (Amended) An exercise device as claimed in claim 8 **[any one of the preceding claims]**

wherein the material of the device is such that advertising material can be printed thereon or affixed thereto.

Please cancel claim 10.

Please add the following new claims:

11. (New) An exercise device as claimed in claim 2 wherein the two chambers are formed from a single chamber substantially divided in two by the provision of two or more dividers between the two chambers, a gap being provided in each divider for the passage of fluid therethrough.

12. (New) An exercise device as claimed in claim 11 wherein the dividers are provided with gaps at different points along their lengths.

13. (New) An exercise device as claimed in claim 12 wherein the gaps are provided at opposing ends of the dividers.

14. (New) An exercise device as claimed in claim 11 wherein the device is formed from a 200 micron laminate PVC.